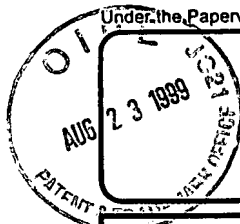


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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing. 3600  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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Washington, DC 20231

AUG 30 1999 RECEIVED	
First Named Inventor	Brial L. Launder
Express Mail Label No.	EJ354660424US
Total Pages	2

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08 / 938,909,  
filed on 09/26/97, entitled EXCAVATING TOOTH ASSEMBLY

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☒ Enter the unentered amendment previously filed on July 21, 1999  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a. ☒ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....Brian L. Launder.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

08/26/1999 MHSSANI 00000083 08938909

01 FC:231  
02 FC:203  
03 FC:202

380.00 OP  
216.00 OP  
273.00 OP

[Page 1 of 2]

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	44 -20 =	24	x \$18.00 =	\$ 432.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	10 -3 =	7	x \$78.00 =	546.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	0
				BASIC FEE (37 CFR 1.16(a))	\$750.00
				Total of above Calculations =	\$1,738.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				- 869.00
				TOTAL =	\$869.00

## 6. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. \_\_\_\_\_

- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$ 869.00 is enclosed.

9. ☐ Other: \_\_\_\_\_

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

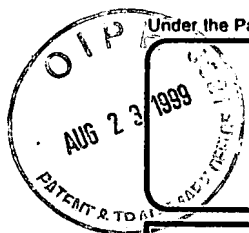
10. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		<input checked="" type="checkbox"/> New correspondence address below			
		(Insert Customer No. or Attach bar code label here)			
NAME	John W. Harbst				
ADDRESS	1180 Litchfield Lane				
CITY	Bartlett	STATE	Illinois	ZIP CODE	60103
COUNTRY	USA	TELEPHONE	630 289-4839	FAX	630 289-0269

## 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	John W. Harbst
SIGNATURE	
DATE	August 23, 1999

Please type a plus sign (+) inside this box → ☐

PTO/SB/29 (12/97)  
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Attorney Docket No.	30495.00.017
First Named Inventor	Brial L. Launder
Express Mail Label No.	EJ35466042AUS
Total Pages	2

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Brian L. Launder
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[Page 1 of 2]

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GROUP 3600

AUG 30 1999

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UNLESS a new correspondence address is provided below.

## 10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☒ New correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	John W. Harbst				
ADDRESS	1180 Litchfield Lane				
CITY	Bartlett	STATE	Illinois	ZIP CODE	60103
COUNTRY	USA	TELEPHONE	630 289-4839	FAX	630 289-0269

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NAME	John W. Harbst
SIGNATURE	<i>John W. Harbst</i>
DATE	August 23, 1999